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**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Application of: MILLER, Van Docket No.: 1358-01  
US Serial Number: 10/751,535  
Filed: January 6, 2004  
Title: Nutritional and Energy Reduced Fiber-Based Baking Ingredient  
Having Low Glycemic Index  
Examiner: Lien T. Tran Group Art Unit: 1761

The Commissioner of Patents  
The United States Patent Office  
Crystal Plaza Two, 2011 Jefferson Davis Highway  
Arlington, Virginia 22202 USA

April 18, 2006

VIA FACSIMILE

Sir:

**RESPONSE TO OFFICE ACTION**

This is in response to the Non-Final Office Action that was issued on August 5, 2005. Since a response to the Action was due by February 5, 2005, the application is now abandoned. However, enclosed with this response is a petition for reinstatement of this unintentionally abandoned application together with payment of the requisite fee in respect of this petition.

It is also to be noted that an appointment of Agent in favour of the undersigned has been recently filed.

In order to effect reinstatement, enclosed are: (i) a complete and full response to the Office Action; and (ii) a completed Petition for Revival of an Application for Patent Abandoned Unintentionally, under 37 CFR 1.137(b). The Applicant confirms that the entire delay in responding to the Action was unintentional.

In response to the Action, the Applicant submits amended paragraphs 0006, 0014, 0030 and 0050, an amended set of 9 claims, and comments made in respect of these amendments.